

**R277. Education, Administration.**

**R277-500. Educator Licensing Renewal, Timelines, and Required Fingerprint Background Checks.**

**R277-500-1. Definitions.**

A. "Acceptable alternative professional learning activities" means activities that may not fall within a specific category under R277-500-5 but are consistent with this rule.

B. "Accredited" means a teacher preparation program accredited by the National Council for Accreditation of Teacher Education (NCATE) or the Teacher Education Accreditation Council (TEAC).

C. "Accredited school," for purposes of this rule, means a public or private school that has met standards considered to be essential for the operation of a quality school program and has received formal approval by the Northwest Accreditation Commission.

D. "Active educator," for purposes of this rule, means an individual holding a valid license issued by the Board who is employed by a Utah public LEA, accredited private school, or USOE, or who was employed by a Utah public LEA or accredited private school in a role covered by the license for at least three years in the individual's renewal period.

E. "Active educator license" means a license that is currently valid for employment in a position requiring an educator license.

F. "Board" means the Utah State Board of Education.

G. "College/university course" means a course taken through an institution approved under Section 53A-6-108.

H. "Course work successfully completed" for purposes of this rule means the student earns a grade C or better in approved university or university level course work or USOE professional learning credit.

I. "Documentation of professional learning activities" means:

(1) an original student transcript of university/college courses;

(2) a LEA or USOE-sponsored electronic record of professional learning activities;

(3) summary, explanation, or copy of the product of a professional learning activity signed by the educator's supervisor or a licensed administrator ;

(4) certificate of completion for an approved professional learning conference, workshop, institute, symposium, educational travel experience or staff development;

(5) an agenda or conference program demonstrating sessions and duration of professional learning activities.

J. "Educational research" means conducting research on education issues or investigating education innovations.

K. "Inactive educator" means an individual holding a valid license issued by the Board who is not currently employed by a Utah public LEA or accredited private school and who was employed by a Utah public LEA or accredited private school in a role covered by the license for less than three years in the individual's renewal period.

L. "Inactive educator license" means a license issued by the Board, other than a suspended or revoked license, that is currently not valid due to the holder's failure to complete requirements for license renewal.

M. "Level 1 license" means a Utah professional educator license issued upon completion of an approved preparation program or an alternative preparation program, or to an applicant that holds an educator license issued by another state or country that has also met all ancillary requirements established by law or rule.

N. "Level 2 license" means a Utah professional educator license issued after satisfaction of all requirements for a Level 1 license and:

(1) satisfaction of requirements under R277-522 for teachers whose employment as a Level 1 licensed educator began after January 1, 2003 in a Utah public LEA or accredited private school;

(2) at least three years of successful education experience in a Utah public LEA or accredited private school or one year of successful education experience in a Utah public LEA or accredited private school and at least three years of successful education experience in a public LEA or accredited private school outside of Utah;

(3) additional requirements established by law or rule.

O. "Level 3 license" means a Utah professional educator license issued to an educator who holds a current Utah Level 2 license and has also received National Board Certification or a doctorate in education or in a field related to a content area in a unit of the public education system or an accredited private school, or holds a Speech-Language Pathology area of concentration and has obtained American Speech-Language Hearing Association (ASHA) certification.

P. "License" means an authorization which permits the holder to serve in a professional capacity in a public LEA or accredited private school.

Q. "Licensed administrator" means an individual holding an active educator license that is valid for employment in a public school administrative position.

R. "License renewal points" means the points accumulated by a Utah license holder through activities approved under this rule for the purpose of satisfying requirements of Section 53A-6-104.

S. "National Board Certification" means the successful completion of the National Board for Professional Teaching Standards (NBPTS) process, a three-year process, that may include national content-area assessment, an extensive portfolio, and assessment of video-taped classroom teaching experience.

T. "Professional growth plan" means a plan created and reviewed annually by an active educator and the educator's direct supervisor that details the professional goals of the educator based on the Utah Effective Teaching and Educational Leadership Standards consistent with R277-520 and related to the educator's self-assessment and formal evaluation required under Section 53A-8a-301.

U. "Professional learning" means engaging in activities that improve or enhance an educator's practice.

V. "Professional learning plan" means a document prepared by a Utah educator consistent with this rule.

W. "University level course" means a course having the same academic rigor and requirements similar to a university/college course and taught by appropriately trained individuals. The final

determination of a university level course is made by the USOE.

X. "UPPAC" means the Utah Professional Practices Advisory Commission under Section 53A-6-301 through 307.

Y. "USOE" means the Utah State Office of Education.

Z. "USOE professional learning credit" means courses, approved by the USOE under R277-519-3, in which educators may participate to renew a license, teach in another subject area, or teach at another grade level.

AA. "Verification of employment" means official documentation of employment as an educator listing the educator's assignment and years of service, signed by the supervising administrator.

### **R277-500-2. Authority and Purpose.**

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-6-104 which requires the Board to make rules requiring participation in professional learning activities in order for educators to retain Utah licensure, and Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to provide definitions and requirements for an educator to renew a Utah educator license. This rule requires verification of employment, development of a professional learning plan, and documentation of activities consistent with Title 53A, Chapter 6.

### **R277-500-3. Educator License Renewal Requirements.**

A. Professional Learning Plan for Active Educators

(1) An active educator, in collaboration with his supervisor, shall develop and maintain a professional learning plan as a subset of the educator's professional growth plan.

(2) The professional learning plan shall outline the professional learning activities in which the educator will participate during the educator's current license renewal cycle;

(3) The professional learning plan shall be developed by taking into account:

(a) the educator's professional goals;

(b) curriculum relevant to the educator's current or anticipated assignment;

(c) goals and priorities of the LEA and school;

(d) available student data relevant to the educator's current or anticipated assignment;

(e) feedback from the educator's yearly evaluation required under Section 53A-8a-301;

(f) the requirements under R277-522 if the educator is a Level 1 licensed educator.

(4) The professional learning plan for active educators shall include two hours of professional learning on youth suicide prevention consistent with Section 53A-1-603.

(5) The professional learning plan shall be reviewed and signed annually by the educator and supervisor and may be adjusted as appropriate.

(6) The educator is responsible for creation of the professional learning plan in collaboration with the designated

supervisor.

(7) The educator is responsible for maintaining documentation associated with the plan and the annual review of the plan.

(8) The LEA may create tools or policies or both to assist educators in meeting this responsibility.

#### B. Professional Learning Plan for Inactive Educators

(1) All inactive educators intending to renew an educator license shall, in collaboration with a licensed administrator, develop and maintain a professional learning plan.

(2) The professional learning plan shall outline the professional learning activities in which the educator will participate during the educator's current license renewal cycle.

(3) The plan shall take into account:

(a) the educator's professional goals;

(b) current license areas of concentration and endorsements;

(c) current trends relevant to the educator's current license areas of concentration and endorsements;

(d) the Utah Core Curriculum relevant to the educator's current license areas of concentration and endorsements;

(4) The professional learning plan shall be reviewed and signed by the educator and a licensed administrator at the beginning of the license renewal cycle and again at the end of the license renewal cycle.

(5) The educator is responsible for developing the professional learning plan and maintaining documentation of the plan.

#### C. License Renewal Points

(1) To be valid for renewal, the professional learning plan shall document that the educator has earned the appropriate number of license renewal points as defined in R277-500-3.

(2) License holders may accrue license renewal points beginning with the date of each new license renewal.

(3) A Level 1 license holder shall earn at least 100 license renewal points in each three year period. A Level 1 license may only be renewed consistent with R277-504-3(D).

(4) A Level 2 license holder shall earn at least 200 license renewal points in each 5 year period.

(5) A Level 3 license holder shall earn at least 200 license renewal points in each 7 year period.

#### D. Documentation

(1) Each Utah license holder shall be responsible for maintaining documentation supporting completion of the professional learning plan.

(2) It is the educator's responsibility to retain documentation of professional learning activities with appropriate signatures.

(3) All documentation relevant to the professional learning plan shall be retained by the educator for a minimum of two years from the designated renewal date.

#### E. Fingerprint Background Check and Educator Ethics Review

(1) A fingerprint background check shall be required for the renewal of any Utah educator license beginning July 1, 2009 consistent with Section 53A-6-401.

(2) No license may be renewed until the completion of the

background check and receipt and review of the report by the USOE.

(3) The background check shall be completed within one calendar year prior to the date of license renewal.

(4) If an educator license holder's fingerprint background check is incomplete or under review by the Utah Professional Practices Advisory Commission (UPPAC), the educator license holder's CACTUS file will direct the reviewer of the file to the USOE for further information. An educator license cannot be renewed until the background check process is complete.

(5) Completion of the USOE Educator Ethics Review shall be required for the renewal of a Utah educator license beginning January 1, 2011.

(6) No license may be renewed prior to the completion of the USOE Educator Ethics Review.

(7) The Ethics Review shall be completed within one calendar year prior to license renewal.

#### **R277-500-4. Educator License Renewal Procedures.**

A. An active educator license holder shall satisfy the final review and obtain the appropriate signatures regarding completion of the professional learning plan between January 1 and June 30 of the educator's assigned renewal year.

(1) A Level 2 or 3 educator license holder who has completed all additional requirements for renewal shall complete the online renewal provided by USOE between January 1 and June 30 of the educator's assigned renewal year.

(2) A Level 1 educator license holder who has completed all additional requirements for renewal shall submit the Professional Learning Plan Completion Form to the USOE between January 1 and June 30 of the educator's assigned renewal year. Forms that are not complete or do not bear original signatures shall not be processed.

(3) An educator's failure to complete the online process or submit the completion form consistent with deadlines in this rule shall result in beginning anew the administrative licensure process, including all attendant fees and criminal background checks.

B. An inactive educator license holder shall satisfy the final review and obtain the appropriate signatures regarding completion of the professional learning plan within one calendar year prior to the date on which the inactive educator license holder is directed/scheduled to renew the license.

(1) A Level 2 or 3 educator license holder who has completed all additional requirements for renewal shall complete the online renewal process provided by USOE between January 1 and June 30 of the educator's assigned renewal year.

(2) A Level 1 educator license holder who has completed all additional requirements for renewal shall submit the Professional Learning Plan Completion Form to the USOE between January 1 and June 30 of the educator's assigned renewal year. Forms that are not complete or do not bear original signatures shall not be processed.

(3) An educator's failure to complete the online process or submit the completion form consistent with deadlines shall result

in beginning anew the licensure process, including all attendant fees and criminal background checks.

C. Educators seeking renewal from an inactive status or requesting level changes shall be charged a fee set by the USOE. Educators with active licenses shall be charged a renewal fee consistent with R277-502

D. The USOE shall audit a random sample of approximately ten percent of the annual online renewals. Educators selected for audit:

(1) shall submit the Professional Learning Plan Completion Form with the appropriate signatures to the USOE in a timely manner.

(2) shall receive a warning letter and may be referred to UPPAC if documentation is not submitted as requested.

(3) shall be referred to UPPAC for possible license discipline if the documentation reveals fraudulent or unprofessional actions.

E. The USOE may, at its own discretion, review or audit renewal transactions including the professional learning plan, signatures, and documentation of professional learning activities.

#### **R277-500-5. Categories of Acceptable Activities for License Renewal.**

A. Active educators may earn licensure renewal points based on their employment in a position requiring a Utah educator license during their license cycle.

(1) Only years of employment with satisfactory performance evaluations may be counted for license renewal points.

(2) A Level 1 license holder may earn 25 license renewal points per year of employment to a maximum of 50 points per license cycle.

(3) A Level 2 or 3 license holder may earn 35 license renewal points per year of employment to a maximum of 105 points per license cycle.

B. A college/university course:

(1) shall be successfully completed with a C or better, or a pass.

(2) Each semester hour, as recorded on an official transcript, equals 18 license renewal points.

C. USOE professional learning credit:

(1) shall be State-approved under R277-519-3;

(2) shall be successfully completed through attendance and required project(s).

(3) Each semester credit hour equals 15 license renewal points.

(4) Approval may be requested from the USOE by LEAs through a request submitted through the USOE-sponsored online professional learning tracking system.

(5) Approval shall be requested from the USOE at least four weeks prior to the beginning date of the scheduled professional learning activity and may be denied if not approved in advance.

D. LEA-sponsored or approved professional learning activities:

(1) shall be approved by the LEA at least four weeks prior to the scheduled activity;

(2) may include LEA or school based professional learning such

as:

- (a) participating in professional learning communities;
- (b) development of LEA or school curriculum;
- (c) planning and implementation of a school improvement plan;
- (d) mentoring a Level 1 teacher;
- (e) engaging in instructional coaching;
- (f) conducting action research;
- (g) studying student work with colleagues to inform instruction.

(3) Each clock hour of scheduled professional learning activity time equals one license renewal point, not to exceed 25 points per activity per year.

E. Acceptable alternative professional learning activities:

(1) Acceptable activities are those that enhance or improve education, yet may not fall into a specific category.

(2) These activities shall be approved by the educator's supervisor, by a licensed administrator if the educator is an inactive educator, or with prior written approval by the USOE.

(3) Each clock hour of participation equals one license renewal point, not to exceed 25 points per activity.

F. Conferences, workshops, institutes, symposia, or staff-development programs:

(1) Acceptable workshops and programs shall be approved by the educator's supervisor, by a licensed administrator if the educator is an inactive educator, or with prior written approval by the USOE.

(2) Each clock hour of participation equals one license renewal point, not to exceed 25 points per activity.

G. Content and pedagogy testing:

(1) Acceptable tests include those approved by the Board.

(2) Each Board-approved test score report submitted, with a passing score, equals 25 license renewal points.

(3) Each test must be related to the educator's current or potential license area(s) or endorsement(s).

(4) No more than two test score reports may be submitted in a license cycle.

H. Utah university sponsored cooperating teachers:

(1) An educator working as a cooperating teacher with one or more student teachers may earn license renewal points.

(2) Each clock hour spent supervising, collaborating with, and mentoring assigned student teachers equals one license renewal point not to exceed 25 points per license renewal cycle.

I. Service in a leadership role in a national, state-wide, or LEA-recognized professional education organization:

(1) Acceptable service shall be approved by the educator's supervisor or by a licensed administrator if the educator is an inactive educator.

(2) Each clock hour of participation equals one license renewal point, not to exceed 10 points per year.

J. Educational research and innovation that results in a final, demonstrable product:

(1) Acceptable activities shall be approved by the educator's supervisor or by a licensed administrator if the educator is an inactive educator.

(2) The research activity shall be consistent with school and LEA policy.

(3) Each clock hour of participation equals one license renewal point, not to exceed 35 points per activity.

K. Substituting in a Utah public LEA or accredited private school:

(1) shall be considered an acceptable professional learning activity only for inactive educators paid and authorized as substitutes.

(2) Two hours of documented substitute time equals one license renewal point, not to exceed 25 points per year or 50 points per license cycle.

(3) Verification of hours shall be documented on LEA or school letterhead, list dates of employment, and signed by the supervising administrator.

L. Paraprofessional or volunteer service in a Utah public LEA or accredited private school:

(1) shall be considered an acceptable professional learning activity only for inactive educators.

(2) Three hours of documented paraprofessional or volunteer service equals one license renewal point, not to exceed 25 points per year or 50 points per license cycle.

(3) Verification of hours shall be documented on LEA or school letterhead, list dates of service, and signed by the supervising administrator.

M. Credit for LEA lane change or other purposes is determined by the LEA and is awarded at the LEA's discretion. USOE professional learning credit should not be assumed to be credit for LEA purposes, such as salary or lane change credit.

#### **R277-500-6. Board Directive to Educator License Holders for Fingerprint Background Check.**

A. The USOE may direct a Utah educator license holder to have a criminal fingerprint background check under Section 53A-6-401 for good cause shown.

B. If an educator license holder fails to comply with the directive in a reasonable time, following reasonable notice, and adequate due process, the educator license holder's license may be put into a pending status in the educator's CACTUS file subject to the educator license holder's compliance with the directive.

C. The Board or its designee may review an educator license holder's compliance with the directive prior to the final decision about the educator license holder's license status.

D. The provisions and requirements of this rule shall apply to educators seeking licensure renewal beginning July 1, 2012.

#### **R277-500-7. Exceptions or Waivers to this Rule.**

A. The USOE may make exceptions to the provisions of this rule for unique and compelling circumstances.

B. Exceptions may only be made consistent with the purposes of this rule and the authorizing statutes.

C. Requests for exceptions shall be made in writing at least 30 days prior to the license holder's renewal date to the Coordinator of Educator Licensing, USOE.



D. Approval or disapproval of the request shall be made in a timely manner and is not subject to administrative appeal.

**KEY: educator license renewal, professional learning, fingerprint background check**

**Date of Enactment or Last Substantive Amendment: July 9, 2012**

**Authorizing, and Implemented or Interpreted Law: 53A-6-104; 53A-1-401(3)**